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AMENDED IN SENATE AUGUST 1, 2016
AMENDED IN ASSEMBLY MAY 27, 2016
AMENDED IN ASSEMBLY APRIL 13, 2016
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CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1783

Introduced by Assembly Member Dodd
(Principal coauthor: Senator Wolk)

February 4, 2016

An act to add Chapter 8 (commencing with Section 17660) to Part 10.5 of Division 1 of Title 1 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1783, as amended, Dodd. School facilities: nonstructural earthquake hazards: inspection.

Existing law, the Field Act, generally requires the Department of General Services to supervise the design and construction of, the reconstruction or alteration of, or the addition to, a school building to ensure, among other things, that plans and specifications comply with adopted rules and regulations and building standards, including those relating to seismic safety. Existing law requires the Office of Emergency Services, in cooperation with the State Department of Education, the Department of General Services, and the Alfred E. Alquist Seismic Safety Commission, to develop an educational pamphlet for use by

school personnel to identify and mitigate the risks posed by nonstructural earthquake hazards.

This bill would require each school district, county office of education, and charter school, on or before January 1, 2020, to complete an inspection of the contents in areas that are accessible to or occupied by pupils in each of its school buildings located in an area of higher seismicity, as defined, to assess whether the contents in each area comply with the guidelines set forth in the pamphlet and to develop corrective actions to bring noncompliant contents into compliance with the published guidelines. The bill would require, within 60 days of completing the inspections for each area within a school building, that a checklist of compliant and noncompliant contents be reported to the governing board of the school district, the county board of education, or the governing body of the charter school, as applicable, with a prioritization of noncompliant items that threaten the safety of pupils and school personnel and a set of recommended corrective actions to bring high-priority noncompliant contents into compliance with the published guidelines. By imposing additional duties on local educational agency officials, the bill would impose a state-mandated local program. The bill would require the Department of Conservation, on or before February 1, 2017, to post instructions or a hyperlink on its Internet Web site on how to determine whether a school district, county office of education, or charter school building is located in an area of higher seismicity. *The bill would make implementation of these provisions contingent upon funding being provided in the annual Budget Act or another statute.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

1 (a) Following significant damage to school buildings in the 1933
2 Long Beach earthquake, the Field Act was enacted to mandate the
3 earthquake-resistant construction of schools.

4 (b) The Division of the State Architect (DSA) reviews the
5 design, construction, alteration, addition, and rehabilitation of
6 K–12 public schools and community colleges.

7 (c) The DSA also monitors the safety of nonstructural
8 components installed in school facilities.

9 (d) Implementation of the Field Act, as defined pursuant to
10 Section 17281 of the Education Code, depends upon a complex
11 interrelationship with dispersed responsibilities among state
12 departments and agencies, school districts, local government
13 building departments, educational institutions, and the construction
14 industry.

15 (e) The South Napa earthquake struck in the early morning on
16 August 24, 2014. Structural damage to schools was minimal.
17 However, nonstructural damage was significant and could have
18 been life threatening had the earthquake occurred during school
19 hours.

20 (f) The earthquake highlighted dangers posed by light fixtures,
21 unrestrained bookcases, storage units, furniture, and other similar
22 school contents that are not subject to the Field Act's requirements.

23 (g) The DSA has issued guidelines for nonstructural earthquake
24 hazards in California schools, which include furniture and
25 equipment. However, there are no requirements in state law similar
26 to the requirements of the Field Act that require the DSA, local
27 fire agencies, or school districts to inspect schools to ensure that
28 school contents comply with the DSA nonstructural component
29 guidelines.

30 (h) School classrooms should be examined to ensure that
31 furnishings and equipment are properly located, anchored, and
32 braced to prevent harm to pupils and school personnel, and to
33 ensure egress from any room after an earthquake.

34 SEC. 2. Chapter 8 (commencing with Section 17660) is added
35 to Part 10.5 of Division 1 of Title 1 of the Education Code, to read:
36

37 CHAPTER 8. NONSTRUCTURAL EARTHQUAKE HAZARDS
38

39 17660. (a) (1) On or before January 1, 2020, each school
40 district, county office of education, and charter school shall

1 complete an inspection of the contents, as described in Section
2 17661, in areas that are accessible to or occupied by pupils,
3 including classrooms, hallways, libraries, gymnasiums,
4 multipurpose rooms, cafeterias, computer rooms, administrative
5 offices, and other similar spaces in each of its school buildings
6 located in an area of higher seismicity to assess whether the
7 contents in each area comply with the guidelines set forth in
8 Chapter 3 (Furniture and Equipment) of the “Guide and Checklist
9 for Nonstructural Earthquake Hazards in California Schools,”
10 published by the Office of Emergency Services in cooperation
11 with the State Department of Education, the Department of General
12 Services, and the Alfred E. Alquist Seismic Safety Commission
13 pursuant to Section 8587.7 of the Government Code, and to develop
14 corrective actions to bring noncompliant contents into compliance
15 with the published guidelines.

16 (2) For purposes of this section, “higher seismicity” means an
17 area with the result of .30g or greater on the California Geological
18 Survey’s Ground Motion Interpolator found on the Department of
19 Conservation Internet Web site.

20 (3) The Department of Conservation, on or before February 1,
21 2017, shall post instructions or a hyperlink on its Internet Web site
22 on how to determine whether a school district, county office of
23 education, or charter school building is located in an area of higher
24 seismicity.

25 (b) (1) Within 60 days of completing the inspection for each
26 area within a school building described in subdivision (a), a
27 checklist of compliant and noncompliant contents shall be reported
28 to the governing board of the school district, the county board of
29 education, or the governing body of the charter school, as
30 applicable. The report shall include a prioritization of noncompliant
31 items that present an immediate and serious threat to the safety of
32 pupils and school personnel and a set of recommended corrective
33 actions to bring high-priority noncompliant contents into
34 compliance with the published guidelines.

35 (2) The governing board of the school district, the county board
36 of education, or the governing body of the charter school, as
37 applicable, shall review the report in a public meeting held pursuant
38 to the Ralph M. Brown Act (Chapter 9 (commencing with Section
39 54950) of Part 1 of Division 2 of Title 5 of the Government Code),
40 or, in the case of a statewide charter school, the Bagley-Keene

1 Open Meeting Act (Article 9 (commencing with Section 11120)
2 of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government
3 Code), and shall post the report on its Internet Web site.

4 (c) (1) The superintendent of a school district, the county
5 superintendent of schools, or the chief administrator of a charter
6 school, as applicable, shall annually certify in writing to the
7 governing board of the school district, the county board of
8 education, or the governing body of the charter school, as
9 applicable, which corrective actions recommended in the report
10 submitted pursuant to paragraph (1) of subdivision (b) have been
11 taken and completed.

12 (2) The certifications for each school building shall be posted
13 to the school district's, county office of education's, or charter
14 school's Internet Web site, as applicable.

15 (d) If a school district, county office of education, or charter
16 school completes an inspection pursuant to subdivision (a) before
17 January 1, 2017, the school district, county office of education, or
18 charter school may report the inspection and any corresponding
19 corrective actions it takes to the governing board of the school
20 district, the county board of education, or the governing body of
21 the charter school, as applicable, to comply with paragraph (1) of
22 subdivision (b).

23 17661. For purposes of this chapter, "contents" includes, but
24 is not limited to, file cabinets, bookcases, desktop and countertop
25 equipment, equipment on carts, display cases, art objects, potted
26 plants, aquariums, equipment on wheels or rollers, such as pianos
27 and chalkboards, office equipment, refrigerators, vending machines,
28 shop and gym equipment, gas cylinders, gas piping, and storage
29 racks.

30 17662. *This chapter shall not be implemented unless funding*
31 *is provided for its implementation in the annual Budget Act or*
32 *another statute.*

33 SEC. 3. If the Commission on State Mandates determines that
34 this act contains costs mandated by the state, reimbursement to
35 local agencies and school districts for those costs shall be made
36 pursuant to Part 7 (commencing with Section 17500) of Division
37 4 of Title 2 of the Government Code.